

## Update: Traffic Benchbook— Third Edition, Volume 3

### CHAPTER 1

#### Introduction to Vehicle Code §625 and §904

#### 1.2 Highlights of Recent Legislation

##### I. Registration Denial

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Replace the introductory paragraph and the first bullet near the middle of page 7 with the following text:

The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for one of the following offenses:

- A third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.

## CHAPTER 2

### Procedures in Drunk Driving and DWLS Cases

#### 2.11 Vehicle Sanctions

##### C. Registration Denial

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Replace the introductory paragraph and the first bullet at the top of page 104 with the following text:

The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for one of the following offenses:

- A third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.

Also, eliminate the citation to MCL 257.219(2)(d) following the second bullet on page 104.

## CHAPTER 3

### Section 625 Offenses

#### 3.1 Operating While Impaired (OWI)—§625(1)

##### D. Penalties

##### 3. Third or Subsequent Offense

##### Registration Denial—

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Replace the existing paragraph on page 121 with the following text:

**Registration Denial**—The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for a third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.

## CHAPTER 3

### Section 625 Offenses

#### 3.3 Operating While Visibly Impaired (OWVI)—§625(3)

##### C. Penalties

##### 3. Third or Subsequent Offense

##### Registration Denial—

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Replace the existing paragraph on page 129 with the following text:

**Registration Denial—**The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for a third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.

## CHAPTER 3

### Section 625 Offenses

#### 3.4 OWI or OWVI Causing Death of Another—§625(4)

##### D. Penalties

##### 3. Second or Subsequent Offense

##### Registration Denial—

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Replace the existing paragraph on page 135 with the following text:

**Registration Denial**—The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for a third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.

## CHAPTER 3

### Section 625 Offenses

#### 3.5 OWI or OWVI Causing Serious Impairment of a Body Function—§625(5)

##### C. Penalties

##### 3. Second or Subsequent Offense

##### Registration Denial—

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Replace the existing paragraph on page 139 with the following text:

**Registration Denial**—The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for a third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.

## CHAPTER 3

### Section 625 Offenses

#### 3.7 Child Endangerment—§625(7)

##### C. Penalties

##### 3. Vehicle Sanctions

##### Registration Denial—

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Beginning at the bottom of page 146 and continuing on page 147, replace the existing paragraph with the following text:

**Registration Denial**—The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for a third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.

## CHAPTER 3

### Section 625 Offenses

#### 3.8 Operating With the Presence of Drugs—§625(8)

##### C. Penalties

##### 3. Third or Subsequent Offense

##### Registration Denial—

Effective December 27, 2005, 2005 PA 317 amended MCL 257.219(1)(d). Replace the existing paragraph on page 151 with the following text:

**Registration Denial**—The Secretary of State shall refuse issuance of a registration or a transfer of registration if the driver's license of the vehicle's owner, co-owner, lessee, or co-lessee is suspended, revoked, or denied for a third or subsequent violation of §625 or §625m, a local ordinance substantially corresponding to §625 or §625m, or a law of another state substantially corresponding to §625 or §625m.



## CHAPTER 5

### Violations of Vehicle Sanctions

#### 5.4 Obtaining or Transferring a Vehicle to Circumvent Vehicle or License Sanctions—§233

##### A. Unlawful Acquisition of a Vehicle

Effective December 27, 2005, 2005 PA 317 amended MCL 257.233(6). Near the middle of page 170, replace the quoted paragraph below the second bullet with the following text:

“A person whose operator’s or chauffeur’s license is suspended, revoked, or denied for, or who has never been licensed by this state and was convicted for, a third or subsequent violation of section 625 or 625m, of a local ordinance substantially corresponding to section 625 or 625m, or of a law of another state substantially corresponding to section 625 or 625m, or for a fourth or subsequent suspension or revocation under section 904 shall not purchase, lease, or otherwise acquire a motor vehicle during the suspension, revocation, or denial period. A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.”